

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/423,401  
 U.S. Filing Date : November 5, 1999

Priority Date : November 6, 1998  
 Applicant : Institute of Materials Research and Engineering  
 Title : METHOD OF SELECTIVE POST-GROWTH TUNING OF AN OPTICAL  
 BANDGAP OF A SEMI-CONDUCTOR HETEROSTRUCTURE AND  
 PRODUCTS PRODUCED THEREOF

Docket No. : 36368/DRK/L359



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**PETITION UNDER 37 C.F.R. § 1.182 TO CONVERT TO AN APPLICATION UNDER 35  
 U.S.C. 111(a)**

Post Office Box 7068  
 Pasadena, CA 91109-7068  
 August 10, 2000

Assistant Commissioner for Patents  
 PCT Legal Office  
 Attn.: Rafael Bacares, Legal Examiner  
 Washington, D.C. 20231

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Commissioner:

This paper is filed in response to a Communication dated 31 July 2000 from the PCT Legal Office, copy enclosed, which indicated that the applicants have not provided the international application number (PCT number), or the international filing date with the transmittal letter and other documents.

Applicant respectfully petitions that this application be converted to an application under 35 U.S.C. 111(a). When this application was filed, this application was inadvertently filed along with a PCT transmittal letter, rather than with a direct national stage transmittal letter. However, the unexecuted Declaration and Power of Attorney accompanying the application correctly indicated that this application was based not upon a PCT application, but rather upon Singapore patent application No. 9804027-2, with a filing date of 6 November 1998. Accordingly, there is no PCT number or

Appl. No. 09/423,401

international filing date to report.

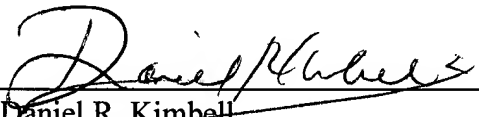
In order that this application can be permitted to proceed, Applicant respectfully requests that this application be converted to an application under 35 U.S.C. 111(a). A check for the petition fee of \$130.00 is enclosed herewith.

Also enclosed herewith are an executed declaration and power of attorney and an executed small entity declaration.

If there are any additional questions or issues, a telephone to the undersigned would be appreciated.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
Daniel R. Kimbell  
Reg. No. 34,849  
626/795-9900

DRK/drk

Enclosures: Communication dated 31 July 2000  
Executed declaration and power of attorney.  
Executed small entity declaration  
Request for Refund

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AUG 04 2000

Christie, Parker & Hale, LLP



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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Washington, D.C. 20231

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JUL 31 2000

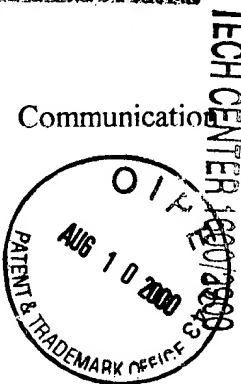
Daniel R. Kimbell  
CHRISTIE, PARKER & HALE  
P.B. Box 7068  
Pasadena, CA 91109-7068

In re Application of  
LI et al  
Application No.: 09/423,401  
PCT No.:  
International Filing Date:  
Priority Date Claimed: 06 November 1998  
Attorney Docket Number: 36368/DRK  
For: METHOD OR SELECTIVE POST-GROWTH TUNING  
OF AN OPTICAL BANDGAP OF A SEMI-CONDUCTOR  
HETEROSTRUCTURE AND PRODUCTS PRODUCED  
THEREFORE

CASE # 36368 ACTION 1-month office act

REMITTANCE DATE 8/31/00

REMITTANCE 8/31/00



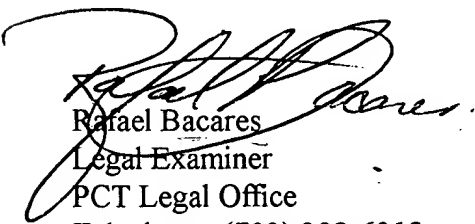
Communication


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A review of for the above-captioned application reveals that applicants have not provided the international application number (PCT number), or the international filing date with the transmittal letter and other documents submitted 05 November 1999.

Applicants must provide this information within ONE (1) MONTH from the mail date of this notification. Failure to respond will result in the abandonment of this application.

  
Rafael Bacares  
Legal Examiner  
PCT Legal Office  
Telephone: (703) 308-6312  
Facsimile: (703) 308-6459

  
Boris Milef  
Legal Examiner  
PCT Legal Office

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